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PTO/SB/21 (03-03)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/773,083
Filing Date	02/04/2004
First Named Inventor	Daniel J. CUA
Art Unit	1615
Examiner Name	
Attorney Docket Number	DX06023 US 01

Total Number of Pages in This Submission

15*

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Supplemental Information Disclosure Statement (2 pages)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Other Enclosures/Remarks:	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	1. copy of International Search Report dated 9 September 2004 (10 pages)	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	2. Form PTO/SB/08 (2 pages)	
	3. Cited references (CA thru CG)	
	4. return receipt postcard	
	* cited references are not included in the page count	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Sheela Mohan-Peterson, Reg. No. 41,201 DNAX Research, Inc. 901 California Ave. Palo Alto, CA 94304-1104
Signature	
Date	27-Oct-2004

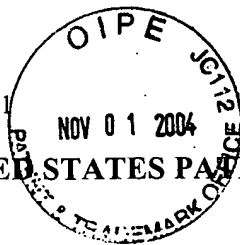
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Typed or printed	MELANIE LYONS		
Signature		Date	10-27-04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re application of:

Daniel J. CUA, et al.

Application No.: 10/773,083

Filed: February 4, 2004

For: USES OF MAMMALIAN
CYTOKINE; RELATED REAGENTS

Examiner: Unknown


Art Unit: 1615

Conf. No.: 3286

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 27, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

by:


MELANIE LYONS

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §1.56, §1.97, and §1.98, Applicants bring the enclosed documents to the attention of the Examiner. These documents were cited in the enclosed corresponding International Search Report prepared by the International Searching Authority search report, dated September 9, 2004. A modified form PTO/SB/08 listing said documents is enclosed.

Applicants certify pursuant to 37 CFR § 1.97(e) that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.

Citation of these documents should not be construed as a representation that the documents are in fact material or are in fact prior art with respect to the instant invention. The Examiner should not make any inference relating to the relative pertinence of cited references based upon the order in which the art is presented. Citation of these documents should not be construed as a representation that a search has been made or that more pertinent art may not be in existence.

Applicants request that the Examiner fully consider the art cited in the attached PTO/SB/08A form. Applicants further request that the Patent and Trademark Office list all such art on the front of any patent issuing from this application.

Applicants believe no fee is required for filing this document; however, if such a fee is required the Commissioner is hereby authorized to charge DNAX Research Institute Deposit account no. 04-1239.

Respectfully submitted,

Date: 27-Oct-2004

By: Sheela Mohan-Peterson
Sheela Mohan-Peterson, Reg. No. 41,201
Attorney for Applicants

DNAX Research, Inc.
901 California Avenue
Palo Alto, CA 94304-1104
Telephone (Switchboard): (650) 496-6400
Telephone No. (Direct): (650) 496-1244
Facsimile No.: (650) 496-1200

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/773,083
				Filing Date	02/04/2004
				First Named Inventor	Daniel J. CUA
				Art Unit	1615
				Examiner Name	
Sheet	2	of	2	Attorney Docket Number	DX06023 US 01

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CB	AGGARWAL, Sudepta, <i>et al.</i> , (17 January 2003) <i>J. Bio. Chem.</i> 278(3):1910-1914, "Interleukin-23 Promotes a Distinct CD4 T Cell Activation State Characterized by the Production of Interleukin-17"	
	CC	BENSON, J., <i>et al.</i> , FASEB Journal, 22 March 2002, vol. 16, no. 5, page A1045, ISSN: 0892-6638, Abstract, "The role of IL-23 in experimental autoimmune encephalomyelitis"	
	CD	CUA, Daniel J., <i>et al.</i> , (13 February 2003) <i>Nature</i> 421:744-748 "Interleukin-23 rather than interleukin-12 is the critical cytokine for autoimmune inflammation of the brain"	
	CE	LI, Jifen, <i>et al.</i> , (2003) <i>J. Neurological Sciences</i> 215:95-103 "Differential expression and regulation of IL-23 and IL-12 subunits and receptors in adult mouse microglia"	
	CF	MURPHY, Craig A., <i>et al.</i> , (15 December 2003) <i>J. Exp. Med.</i> , 198(12):1951-1957 "Divergent Pro- and Antiinflammatory Roles for IL-23 and IL-12 in Joint Autoimmune Inflammation"	
	CG	STALLMACH, Andreas, <i>et al.</i> , (April 2002) <i>Gastroenterology</i> 122(4)Suppl. 1:pages A264-A265, ISSN: 0016-5085, Abstract M1074, Digestive Disease Week and the 103 rd Annual Meeting of the American Gastroenterological Association; San Francisco, CA USA, May 19-22, 2002 "IL-23 – but not IL-18 – transcripts were increased in patients with inflammatory bowel disease (IBD)"	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

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